

AMENDMENTS TO THE CLAIMS

Please amend the claims as follows:

1. (Currently amended) An electrosurgical pencil, comprising:

a housing;

an electrode supported within the housing and extending distally from the housing, the electrode being connected to a source of electrosurgical energy;

an activation button configured and adapted to selectively supply electrosurgical energy to the electrode upon actuation thereof; and

an aspirating/irrigating system ~~operatively connected to~~ integrally formed with the housing, wherein the aspirating/irrigating system is configured and adapted to manually perform at least one of delivering a quantity of fluid to a target surgical site and withdrawing a quantity of fluid from the target surgical site.

2. (Original) The electrosurgical pencil according to claim 1, wherein the aspirating/irrigating system includes a resilient handle, the resilient handle defining at least one chamber therein.

3. (Original) The electrosurgical pencil according to claim 2, wherein the aspirating/irrigating system further includes a fluid passage extending between the at least one chamber of the resilient handle and at least one aperture formed in a distal end of the housing.

4. (Original) The electrosurgical pencil according to claim 3, wherein a quantity of fluid is contained within the at least one chamber of the resilient handle.

5. (Original) The electrosurgical pencil according to claim 4, wherein the resilient handle has an expanded condition and is compressible to a non-expanded condition, wherein compression of the resilient handle causes the quantity of fluid contained in the at least one chamber of the resilient handle to be urged through the fluid passage and out of the at least one aperture formed in the distal end of the housing.

6. (Original) The electrosurgical pencil according to claim 5, wherein when the resilient handle is allowed to return to its expanded condition from the non-expanded condition, fluid is drawn into the at least one chamber of the resilient handle through the fluid passage and in through the at least one aperture formed in the distal end of the housing.

7. (Withdrawn) The electrosurgical pencil according to claim 6, wherein the aspirating/irrigating system further includes a valve disposed between at least one fluid passage and at least one fluid chamber.

8. (Withdrawn) The electrosurgical pencil according to claim 7, wherein the valve is configured and adapted to allow fluid to pass from the chamber to the fluid passage when the resilient handle is compressed to a non-expanded condition.

Appl. No. 10/716,776
Amdt. Dated October 12, 2006
Reply to Office Action mailed July 20, 2006

9. (Withdrawn) The electrosurgical pencil according to claim 8, wherein the aspirating/irrigating system further includes a second valve disposed in fluid communication with a second chamber.

10. (Withdrawn) The electrosurgical pencil according to claim 9, wherein the second valve is configured and adapted to allow fluid to pass into the second chamber when the resilient handle is allowed to return to its expanded condition.

11. (Withdrawn) The electrosurgical pencil according to claim 10, further including a mode selector supported on the housing, the mode selector being electrically connected to the source of electrosurgical energy and is configured and adapted to vary a waveform duty cycle which is delivered from the source of electrosurgical energy to the electrode.

12. (Withdrawn) The electrosurgical pencil according to claim 11, wherein the mode selector is configured and adapted to vary the waveform duty cycle to produce at least one of a cutting, blending and coagulating effect.

13. (Withdrawn) The electrosurgical pencil according to claim 8, wherein the second valve is disposed between a second chamber in the handle and a second fluid passage which communicates with at least one aperture at the distal end of the housing.

Appl. No. 10/716,776
Amdt. Dated October 12, 2006
Reply to Office Action mailed July 20, 2006

14. (Currently Amended) The electrosurgical pencil according to claim [4] 2, wherein the resilient handle is fabricated from rubber.

15. (Withdrawn) The electrosurgical pencil according to claim 1, wherein the resilient handle of the aspirating/irrigating system defines first and second chambers separated by a dividing member, and first and second fluid passages extending respectively between the first and second chambers of the resilient handle and the at least one aperture formed in a distal end of the housing.

16. (Withdrawn) The electrosurgical pencil according to claim 15, wherein the resilient handle has an expanded condition and is compressible to a non-expanded condition.

17. (Withdrawn) The electrosurgical pencil according to claim 16, wherein the aspirating/irrigating system includes:

a first valve disposed between the first fluid passage and the first chamber;
a second valve disposed between the second fluid passage and the second chamber; and
a relief valve for equalizing the environmental conditions between the first and second chambers.

18. (Withdrawn) The electrosurgical pencil according to claim 17, wherein the first chamber includes a quantity of fluid contained therein.

19. (Withdrawn) The electrosurgical pencil according to claim 18, wherein the first valve is configured and adapted to allow the quantity of fluid contained in the first chamber to pass from the first chamber to the first fluid passage when the handle is compressed to a non-expanded condition.

20. (Withdrawn) The electrosurgical pencil according to claim 19, wherein the second valve is configured and adapted to allow fluid to be drawn into the second chamber when the handle is allowed to return to the expanded condition from the non-expanded condition.

21. (Original) An electrosurgical pencil for selectively providing electrosurgical energy from a source of electrosurgical energy to tissue, the electrosurgical pencil having an electrode electrically connected to the source of electrosurgical energy, the electrosurgical pencil comprising:

a housing configured and adapted to receive the electrode in a distal end thereof; and

a self-contained, manual aspirating/irrigating system operatively connected to the housing, the aspirating/irrigating system including:

a body portion defining at least one chamber therein; and

a fluid passage extending between an aperture formed in a distal end of the housing and the at least one chamber, wherein the body portion has an expanded condition in which the at least one chamber has a first volume and a non-expanded

Appl. No. 10/716,776
Amdt. Dated October 12, 2006
Reply to Office Action mailed July 20, 2006

condition in which the at least one chamber has a second volume which is less than the first volume.

22. (Withdrawn) The electrosurgical pencil according to claim 21, wherein aspirating/irrigating system includes a first valve disposed between the at least one chamber and the fluid passage.

23. (Withdrawn) The electrosurgical pencil according to claim 22, wherein the aspirating/irrigating system includes a second valve disposed in the body portion and in fluid communication with the at least one chamber.

24. (Withdrawn) The electrosurgical pencil according to claim 23, wherein the first valve is configured and adapted to allow fluid to pass out of the at least one chamber and the second valve is configured and adapted to allow fluid to enter the at least one chamber.

25. (Withdrawn) The electrosurgical pencil according to claim 24, wherein the at least one chamber of the body portion contains a quantity of fluid.

26. (Withdrawn) The electrosurgical pencil according to claim 25, wherein when the body portion is compressed from the first volume to the second volume the quantity of fluid is urged out of one of the chambers through the first valve and when the

body portion is allowed to return to the first volume from the second volume fluid enters a different one of the chambers from the second valve.

27. (Currently Amended) A method of aspirating/irrigating a target surgical site during an electrosurgical procedure, comprising the steps of:

providing an electrosurgical pencil comprising:

a housing;

an electrode supported within the housing and extending distally from the housing, the electrode being connected to a source of electrosurgical energy;

an activation button supported on the housing, the activation button being configured and adapted to complete a control loop extending from the source of electrosurgical energy upon actuation thereof; and

an aspirating/irrigating system operatively connected to the housing, wherein the aspirating/irrigating system includes a resilient handle which is configured and adapted to ~~at least one of~~ deliver a quantity of fluid contained in the handle to a target surgical site when the handle is compressed and withdraw a quantity of fluid from the target surgical site when the handle is allowed to expand;

performing an electrocautery function at a target surgical site; and

at least one of compressing the handle to deliver the quantity of fluid contained therein to the target surgical site and allowing the handle to expand to withdraw a quantity of fluid from the target surgical site.

28. (Original) The method according to claim 27, wherein the aspirating/irrigating system includes a fluid passage extending between an aperture formed in a distal end of the housing and the at least one chamber.

29. (Original) The method according to claim 28, further including the steps of:

partially compressing the handle and placing the aperture in a quantity of fluid and allowing the handle to expand to withdraw fluid into the at least one chamber.

30. (Currently Amended) An electrosurgical pencil, comprising:
a housing;
an electrode supported within the housing and extending distally from the housing, the electrode being connected to a source of electrosurgical energy;
an activation button configured and adapted to selectively supply electrosurgical energy to the electrode upon actuation thereof; and
an aspirating/irrigating system operatively connected to the housing, wherein the aspirating/irrigating system is configured and adapted to manually perform at least one of delivering a quantity of fluid to a target surgical site and withdrawing a quantity of fluid from the target surgical site; said aspirating/irrigating system including:
a resilient handle which defines at least one chamber therein for containing a fluid, wherein said resilient handle is configured such that compression of said handle causes the delivery of a quantity of fluid to a target surgical site and

Appl. No. 10/716,776
Amdt. Dated October 12, 2006
Reply to Office Action mailed July 20, 2006

expansion of said handle to an uncompressed condition causes the withdrawal of a quantity of fluid from a target surgical site; and

a fluid passage extending between the at least one chamber of the resilient handle and at least one aperture formed in a distal end of the housing; said at least one aperture being disposed about the periphery of the distal end of the housing.

31. (Original) An electrosurgical pencil according to claim 30 wherein said at least one aperture is disposed at the distal-most tip of the distal end of the housing.

32. (Withdrawn) An electrosurgical pencil according to claim 30 wherein said at least one aperture is disposed in the electrode.